

Application No. 10/716,785

**REMARKS**

Claims 1-5, 7-19 and 21-30 are all the claims pending in the present application.

Claims 1 and 14 have been amended to clarify that the acid-labile moiety has a low activation energy less than about 20 kcal/mol for acid-catalyzed cleaving, wherein said acid-labile moiety is cleavable at room temperature. Support is provided at page 12, lines 24-27.

Claims 1-5, 7-19 and 21-30 stand rejected on prior art grounds.

Reconsideration of the Examiner's prior art rejections is respectfully requested based on the following discussion.

I. The 35 U.S.C. §103(a) Rejection based on Sooriyakumaran et al. in view of Buccignano et al.

Claims 1-5, 7-19, 21-27 and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sooriyakumaran et al. (US 2002/0081520 A1) in view of Buccignano et al. (6,037,097).

Among other things, Sooriyakumaran et al. to fails to teach or suggest an acid-labile moiety having low-activation energy less than less than about 20 kcal/mol for acid-catalyzed cleaving, and wherein the acid-labile moiety is cleavable at room ternperature.

Buccignano et al. fails to overcome the deficiencies of Sooriyakumaran et al., and more specifically fails to teach or suggest an acid-labile moiety having low-activation energy less than less than about 20 kcal/mol for acid-catalyzed cleaving, and wherein the acid-labile moiety is cleavable at room temperature.

Applicants submit that there is no motivation to combine the teachings Sooriyakumaran et al. with the teachings of Buccignano et al. to arrive at the present invention. Thus, Applicants submit that claims 1-5, 7-19, 21-27 and 30 are patentable over the cited references. Thus, Applicants respectfully request that these rejections be reconsidered and withdrawn.

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II. The 35 U.S.C. §103(a) Rejection based on Sooriyakumaran et al. in view of Bucchignano et al. and further in view of Khojasteh et al.

Claims 28 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sooriyakumaran et al. (US 2002/0081520 A1) in view of Bucchignano et al. (6,037,097) and further in view of Khojasteh et al. (US 2002/0058204 A1).

As discussed above, Sooriyakumaran et al. and Bucchignano et al., among other things, either individually or in combination, fail to teach or suggest an acid-labile moiety having low-activation energy less than about 20 kcal/mol for acid-catalyzed cleaving, and wherein the acid-labile moiety is cleavable at room temperature.

Khojasteh et al. fails to overcome the deficiencies of Sooriyakumaran et al. and Bucchignano et al., individually or in combination, and in particular fails to teach or suggest an acid-labile moiety having low-activation energy less than less than about 20 kcal/mol for acid-catalyzed cleaving, and wherein the acid-labile moiety is cleavable at room temperature.

Thus, Applicants submit that claims 28 and 29 are patentable over the cited references, and respectfully request that these rejections be reconsidered and withdrawn.

### CONCLUSION

In view of the foregoing, Applicants submit that claims 1-5, 7-19 and 21-30, all the claims currently being examined in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time. Should the Examiner find the application to be other than in condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below to discuss any other changes deemed necessary. The Commissioner is authorized to charge any additional fees due or credit overpayments to Deposit Account No. 09-0458.

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Applicants' undersigned attorney may be reached by telephone at (845) 894-6919. All correspondence should continue to be directed to the address listed below.

Respectfully submitted,



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